

Notice of Allowability

Application No.

10/719,326

Examiner

Gregory J. Strimbu

Applicant(s)

SANKE ET AL.

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of July 20, 2006 and the tele. int. of 9/27/06.
2. ☒ The allowed claim(s) is/are 1,3-6,8,9,11,12,14-17,19-22 and 29.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

- Attachment(s)
- ☐ Notice of References Cited (PTO-892)
 - ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 - ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
 - ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
 5. ☐ Notice of Informal Patent Application
 6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 9/27/06.
 7. ☒ Examiner's Amendment/Comment
 8. ☒ Examiner's Statement of Reasons for Allowance
 9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Anthony P. Venturino on September 27, 2006.

The application has been amended as follows:

In the title:

inserted --A-- following "BY" and inserted --A-- following "TO"

In the abstract:

line 1, changed "powering" to --moving--

line 2, inserted --which-- following "assembly" and changed "geared" to --attached--

line 3, inserted --together-- following "movement"

line 4, inserted --and-- following the second occurrence of "element"

line 5, inserted --to the door shaft-- following "requirements"

line 9, inserted --element-- following "plate"

line 10, deleted ", more particularly,"

line 11, deleted "positively non-rotatably,"

line 12, inserted --for receiving the door shaft-- following "element"

line 13, deleted "The door shaft is"

line 14, deleted "connected . . . opening to the"

line 15, deleted "connecting plate element"

In the specification:

page 13,

line 20, deleted "scrap".

In the claims:

1. (Currently Amended) A shaft operator assembly for moving ~~powering~~ a door having ~~comprising~~ a movable door leaf and a door shaft attached ~~geared~~ to said door leaf for common movement together, said shaft operator assembly comprising ~~including~~ a shaft connecting means for connecting a driven member of said shaft operator assembly to said door shaft, wherein said shaft connecting means comprises a connecting plate element secured to said driven member and a shaft connecting element mountable non-rotatably on said door shaft, said shaft connecting element including an axial opening extending through said shaft connecting element for receiving non-rotatably said door shaft and including ~~connectable or connected by~~ a plate connecting portion located radially outside of said opening and mounted to said connecting plate element;
wherein said connecting plate element is a flat connecting plate separate from said shaft connecting element, ~~said plate connecting portion of said shaft connecting element and said connecting plate being interconnectable;~~

said connecting plate element is secured non-rotatably and braced to said driven member by a coupler;

wherein said coupler comprises a cylindrically shaped portion and a flanged portion having side surfaces, said flanged portion is in positive engagement with said connecting plate element in a non-rotatable but axially movable manner relative thereto; and

wherein said connecting plate element is clasped to said driven member by said coupler and includes on a side opposite said driven member a receiving access for facing said door shaft, wherein the side surfaces of the in which the clasping flanged portion of said coupler are is fully received in said receiving access and non-rotatably engage corresponding surfaces of said receiving access.

claim 3,

line 3, deleted "retracting"

line 4, changed "configured complementary to said plate" to --comprising--

changed line 5 to --one of an axial recess for--

line 7, deleted "complementary" and deleted "retracting"

line 8, changed "connecting plate" to --said connecting plate element--

claim 4,

line 2, changed "definably locked" to --lockable--

line 3, changed "shifting out of place" to --the door shaft--

claim 5,

line 2, changed "to" to --for locking--

line 3, changed "lock said tube" to --said shaft--

claim 6,

line 2, changed "protuberance of said door shaft is" to --slot of said door shaft is adapted to be--

claim 8,

line 2, deleted "means"

line 3, deleted "of"

claim 11,

line 3, inserted --a-- following "and"

claim 12,

line 1, changed "10" to --15--

line 2, changed "is clasped" to --element is clasped to said driven member--

line 3, inserted --for-- following "member"

line 4, changed "a clasping" to --said--

claim 14,

line 2, inserted --axially-- following "is"

line 3, deleted "for axial shifting thereof"

15. (Currently Amended) A shaft operator assembly for moving ~~powering~~ a door having ~~comprising~~ a movable door leaf and a door shaft attached ~~geared~~ to said door leaf for common movement together, said shaft operator assembly comprising including a shaft connecting means for connecting a driven member of said shaft operator assembly to said door shaft, wherein said shaft connecting means comprises a connecting plate element secured ~~securable~~ to said driven member and a shaft connecting element mountable non-rotatably on said door shaft, said shaft connecting element including an axial opening extending through said shaft connecting element for receiving non-rotatably said door shaft and including ~~connectable or connected by a~~ plate connecting portion located radially outside of said opening and mounted to said connecting plate element;

said connecting plate element is secured non-rotatably and braced to said driven member by a coupler;

wherein said coupler comprises a flanged portion for engaging ~~positively receiving~~ said connecting plate element in a non-rotatably but axially movable manner ~~for axial shifting~~;

wherein an outer contour of said flanged portion of said coupler has a modified hexagonal shape ~~in which four~~ sides of which comprise ~~edges comprising flats are~~

located by their centerpoints equispaced radially from a said longitudinal centerline of said coupler, a fifth side of said modified hexagonal shape edge being configured nearer to said longitudinal centerline than the four flats and longer than each one of the four flats, and a sixth side of said modified hexagonal shape edge being adapted to the ~~outer contour of said axial opening of a tube connecting element serving to engage said door shaft.~~

claim 16,

line 2, changed "locked in place" to --secured to said driven element--

changed line 3 to --driven member.--

deleted line 4

claim 17,

line 2, changed "locked in place by a" to --secured to said driven element by said-- and deleted the last occurrence of "in"

deleted line 3

line 4, deleted "contact with said driven member"

claim 19,

line 2, inserted --element-- following "plate" and inserted --metal-- following "cast"

claim 20,

line 2, changed "on" to --in--

rewrote claim 21 as follows:

21. A shaft operator assembly as set forth in claim 1, wherein said shaft connecting element is connected to said door shaft.

rewrote claim 22 as follows:

22. A shaft operator assembly as set forth in claim 21, wherein said door shaft is a torsion spring shaft having a slot along its length.

canceled claims 7, 10, 13, 18 and 23-28

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach wherein said coupler comprises a cylindrically shaped portion and a flanged portion having side surfaces, said flanged portion is in positive engagement with said connecting plate element in a non-rotatable but axially movable manner relative thereto; and wherein said connecting plate element is clasped to the driven member by said coupler and includes on a side opposite said driven member a receiving access for facing said door shaft, wherein the side surface of the flanged portion of said coupler

are fully received in the receiving access and non-rotatably engage corresponding surfaces of the receiving access. See claim 1, lines 16-24.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Gregory J. Strimbu
Primary Examiner
Art Unit 3634
September 19, 2006